

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

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|----------------------------------|---|-----------------------|
| RICHARD L. BELL | : | |
| | : | CASE NO. 1:11-CV-2092 |
| Plaintiff, | : | |
| | : | |
| v. | : | ORDER & JUDGMENT |
| | : | |
| MICHAEL J. ASTRUE, | : | |
| Commissioner of Social Security, | : | |
| | : | |
| Defendant. | : | |
| | : | |

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On December 22, 2011, Magistrate Judge Vecchiarelli filed a Report & Recommendation recommending that Plaintiff Richard Bell's complaint be dismissed. *See* [Doc. 11]. On January 4, 2012, Bell filed a "Motion for Reconsideration and Objections to the Magistrate's Report and Recommendation," asking "that the Magistrate [Judge] reconsider her determination that this case should be dismissed." [Doc. 12]. The Court construed this as motion for Magistrate Judge Vecchiarelli to reconsider her Report & Recommendation and Magistrate Judge Vecchiarelli—in an order denying Bell's motion for reconsideration—warned Bell that "[a] party may not seek review of a Magistrate Judge's order by both the Magistrate Judge in a motion for reconsideration and the District Judge in an objection simultaneously." [Doc. 13, at 3 n.1]. Since that time, Bell has not filed any objections to Magistrate Judge Vecchiarelli's Report & Recommendation or her order denying Bell's motion for reconsideration.

Case No. 1:11-CV-253
Gwin, J.

Accordingly, the Court **ADOPTS** Magistrate Judge Vecchiarelli's Report & Recommendation and, for the reasons provided in that Report & Recommendation, **DISMISSES** Plaintiff's complaint. This action is **TERMINATED** under Federal Rule of Civil Procedure 58.

IT IS SO ORDERED.

Dated: May 11, 2012

s/ James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE